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COOKCIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date: 11/13/74 (pltf.)

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
<p>GERALDINE DUNCAN</p> <p>v.</p> <p>GENERAL MOTORS CORPORATION, a Delaware corporation,</p>		<p>For plaintiff:</p> <p>DAVID H. SANDERS 582-5181 205 Denver Bldg. Tulsa, Okla. 74119</p> <p>For defendant:</p> <p>Bert M. Jones 2900 4th Natl. Bank Bldg. Tulsa, Okla. 74119 582-1173</p>					
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 5-1-73 9-1-74	Clerk		4/23	D. Sanders	15.00		
			4-27-73	C.D.No.47		15	00
			10-24-73	Duncan Groc	1500		
J.S. 6 mailed 10-1-73 7-1-75	Marshal		10-25-73	C. D. No. 14		5	00
Basis of Action:	Docket fee						
breach of warranty, i.e., products liability	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-23-73	Complaint, filed. Summons issued. rm	
4-26-73	Marshal's service returned and filed. Served Gen. Motors Corp. by serving Corporation Co., 4-25-73, Okla. City, Okla. (USM \$4.00)jj	
5-15-73	Appl. of def. for ext. of time to answer, w/Order granting same (JCS-Clk) rm (due 5/30/73)	
5-18-73	Motion to Dismiss, filed by Deft. v	
5-18-73	Brief in support, filed. v	
5-25-73	Copy of letter from Judge Daugherty to Pltf., granting Pltf. 10 days to respond to Deft.'s Mot. to Dismiss, filed. v	
5-31-73	Answer Brief of Pltf. in Response to Deft.'s Mot. to Dismiss, filed. v	
6-13-73	Copy of ltr dated 6-11-73 from J.D. to Bert Jones, stating that Deft is to file Reply Brief within 15 days(Due 6-26-73), filed. r	
6-18-73	Defendant's reply brief, filed. g	
7-11-73	Case set for Oral Arguments on Deft's Motion to Dismiss at 2:00 P.M. on July 23, 1973. (FD-J)r	
7-23-73	Oral Arguments held on defts' Motion to Dismiss. Pltf rep by David Sanders; Deft rep by Bert M. Jones. Statements made. Court takes Motion to Dismiss under advisement and will enter an order, at a later time.(FD-J)r	
9-28-73	Order, filed and entered, granting def. mo/dismiss and dismissing pltf. cause of action. (FD-J)rm	
10-19-73	Stipulation of Parties, filed. v -order to Judge.	
10-23-73	Order, filed, that Pltf.-Appellant, Geraldine Duncan, may appeal to 10th Circuit Court of Appeals without the filing of a bond for costs in sum of \$250.00. (FD-J)v -copies mld. to attys.	
10-24-73	<u>Notice of Appeal, given to Deft.-appellee, Gen. Motors Corp. by Pltf., Geraldine Duncan, filed.</u> v <i>copy of notice + order of dismissal to 10th Circuit</i>	
12-3-73	Order ext. time to docket appeal to 12-21-73, filed. g	
12-17-73	Appeal record sent to USCA. g (1 vol.)	
8-5-74	Mandate and opinion of USCA, reversing Ct. order of 9/28/73 and remanding cause for further proceedings consistent with opinion, filed and spread of record. rm	
8-5-74	Statement of costs on appeal, in amt. of \$65.00, in favor of pltf., filed. rm Costs taxed in amt. of \$65.00.	
8-5-74	Appeal record (1 vol.) recd. from USCA. rm	
9-17-74	MO: Case set for pre-trial for 11/13/74 at 4:30 p.m. (FD-J)rm	
9-19-74	ANSWER filed by Deft. General Motors Corp.jj	
11-13-74	Pre-trial conf. held. Parties rep. by counsel of record. Pltf. oral demand for jury trial granted. Pltf. to prepare pre-trial order. Case to be set on jury docket. (FD-J)rm	
1-8-75	MO:Ordered by the Ct. that this case is transferred to Judge Cook(FD-J)rm	

COOK

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-28-75	Plaintiff's requested instructions to the jury, filed. ds	
1-28-75	Deposition of Harvey E. Renfrow, on behalf of def., taken 1/15/75, filed. (\$75.00) rm	
1-28-75	Pretrial order filed. (HDC-J) ds	
2-12-75	Request of Pltf. for Admissions of Fact by Deft., filed.jj	
2-12-75	Pltf's 1st Set of Interrogatories to Deft., filed.jj	
3-24-75	MO: Case set for jury trial 6-9-75 at 10:00 a.m. (HDC-J)hm	
4-2-75	MO: Case reset for jury trial 6-16-75 at 10:00 a.m. (HDC-J)hm	
5-15-75	Answers to pltf's first set of interrog., filed.k	
5-15-75	Deft's response to request for admissions of fact, filed.k	
6-4-75	Pltf's requested voir dire questions to jury, filed. g	
6-5-75	Deft's requested voir dire, filed. lm	
6-5-75	Deft., General Motors Corp., requested instructions, filed. lm	
6-16-75	Deposition of Peter Rojeki, Jr., taken by the defendant on 6-16-75 by Harvey W. Stephens, CSR ., filed. (\$68.75)mm	
6-17-75	U.S.Marshals service returned and filed. Served Trooper Chas. Newton at Vinita, Okla., James Morrow, Jr. at Little Ks.,Okla. and Jay Turner at Locust Grove, Okla. on 6-7-75; Regina Rowan Wilson and Shirley Williams, 6-9-75 at Tulsa, Okla. (USM \$39.04)jj	
6-18-75	Warrant for Arrest of James Morrow, Jr., ret. & filed: James Morrow Jr. arrested at Kansas, Ok. on 6-17-75, delivered to Court and released. g	
6-16-75	Case tried to a jury June 16, 17, 18 & 19. Jury empaneled & admonished. Rule invoked. Opening statements made. Pltf. presents case in chief w/test. of witnesses. On 6-17-75, out of presence of jury, U.S. Marshal brings forward the witness James Morrow, Jr., who was issued a bench warrant for failure to appear after being served with a subpoena. Court directs witness to remain for trial. Witness sworn. Court dissolves bench warrant & witness still under subpoena as originally issued. At close of pltf's case, deft's mo/dismiss denied. Deft. presents case in chief w/test. of witnesses. The Court, having denied deft's request to allow C. J. Halley to testify pursuant to local rules, allows Mr. Jones to make offer of proof of test. of said witness, out of hearing of jury. Deft. rests. Pltf. presents rebuttal evid. w/test. of witness & rests. Deft. renews mo/dismiss & motion overruled. Parties rest. Closing arguments made. Instructions given. Bailiff sworn. Jury retires to deliberate on 6-19-75 at 1:30 p.m. Jury returns w/ verdict at 3:24 p.m. on 6-19-75 finding for the defendant. Verdict ordered received, read & filed in open court. 3:27 p.m. Court recessed and jury discharged. (HDC-J)hm	

(over)

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-19-75	Instructions, filed in open court. (HDC-J)hm	
6-19-75	Verdict, filed in open court, finding for the deft. hm	
6-19-75	Trial exhibits, filed. (Some in exhibit room, others in file). hm	
6-19-75	Judgment on Jury Verdict, filed and entered. Ordered that Pltf. take nothing and that Deft., Gen. Motors Corp., recover of Pltf., Geraldine Duncan, its costs of action. (JCS-CC)v -copies mld.	